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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James R. LaDine, et al.

Art Unit : 1631

Serial No. : 09/835,273

Examiner : Michael L. Borin

Filed : 4/13/2001

Conf. No. : 4611

Docket No.: 12800-003001 (1002US)

Title : Proteomic Analysis by Parallel Mass Spectrometry

*File only*

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed 5/26/2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

motivation exists to combine the teachings of the Demirev and Chang references, such a combination does not anticipate or suggest the limitation, incorporated into all of the pending claims, of providing a parallel array of mass spectrometry systems wherein each mass spectrometry system analyzes a different one of the multiple protein samples derived from separation of a complex protein mixture. As discussed above, the Chang reference does not teach the use of mass spectrometry systems arranged in parallel for concurrent analysis of different samples. Chang instead teaches the use of two mass analyzers for concurrently analyzing a single sample in different operational modes in order to time the initiation of a mass scan by one analyzer based on the detection of a chromatographic peak by the other analyzer. Employing the Chang apparatus for the Demirev technique may result in achieving the desired sensitivity and/or resolution, but since analysis of different samples would still need to be conducted in serial fashion, the dramatic improvement in reducing the aggregate analysis time achieved by the present invention is not effected by the combination of Chang and Demirev.

In sum, claims 1, 2, 5-18, and 22-45 are submitted to be patentable over Demirev in view of Chang because neither Demirev nor Chang, taken individually or in combination discloses or suggests a parallel array of mass spectrometry systems wherein each mass spectrometry system analyzes a different one of the multiple protein samples derived from separation of a complex protein mixture. Therefore, withdrawal of this rejection is believed to be in order.

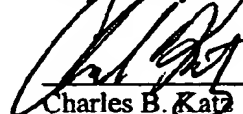
In view of the reasons set forth above, Applicants believe that the claims are now in condition for allowance, and passage of the Application to issue is requested. If the Examiner believes that a telephone conference may be useful to advance the prosecution of the Application, he is invited to contact the Applicants' undersigned representative.

Dated: 26 July 2005

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Respectfully submitted,

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IPW/1631

Client Docket No.: 1002US/NAT

Attorney Docket No.: 12800-003001

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2005.



*Kiene Kizer*

Printed:

*Diane Kizer*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of LaDine, et al.

Serial No.: 09/835,273

Examiner: Michael L. Borin

Confirmation No.: 4611

Art Unit: 1631

Filed: 04/13/2001

Title: Proteomic Analysis by Parallel Mass Spectrometry

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Transmitted herewith are the following documents in response to the Office Action of May 26, 2005:

- ☒ Response/Amendment (13 pgs);
- ☒ Power of Attorney by Assignee (1 pg.);
- ☒ Statement Under 3.73(b) (1 pg.); and
- ☒ Return Receipt Postcard

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3267.

Dated: 27 July 2005

Respectfully submitted,

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